

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

John Stotesbery,

*On behalf of himself and those
similarly situated,*

Plaintiffs,

v.

Muy Pizza-Tejas, LLC, *et al.*,

Defendants.

Case No. 0:22-cv-01622-KMM-TNL

Judge Katherine M. Menendez

Magistrate Judge Tony N. Leung

NOTICE OF PROVISIONAL CONSENTS TO JOIN

Plaintiffs hereby provide notice of the filing of a provisional consent to join form on behalf of putative opt-in plaintiffs John Campos and Hillary Conway. Plaintiffs Campos and Conway worked for the Ayvaz Defendants in Texas.

Plaintiffs Campos and Conway are aware that the current posture of the case does not cover their claims, in light of the Court's Order dismissing claims asserted on behalf of putative class members who worked for Defendants outside of the state of Minnesota. *See* Doc. 58. But, Plaintiffs Campos and Conway are also aware that Plaintiffs have sought reconsideration of the Court's Order reflected in Doc. 58 in light of the Supreme Court's ruling in *Mallory v. Norfolk Southern Ry.*, 143 S.Ct. 2028 (2023). In the event the Court reconsiders the ruling in Doc. 58 and permits delivery drivers who worked for Defendants outside of the state of Minnesota to join this case, they

desire to join the case, and hereby provisionally consent to so joining. Plaintiffs Campos and Conway are filing their consent forms in order to preserve their rights, if any, to join this case.

Respectfully submitted,

/s/ Andrew Kimble

Andrew R. Biller (*Pro Hac Vice*)

Andrew P. Kimble (*Pro Hac Vice*)

Biller & Kimble, LLC

8044 Montgomery Road, Suite 515

Cincinnati, OH 45236

Telephone: (513) 202-0710

Facsimile: (614) 340-4620

abiller@billerkimble.com

akimble@billerkimble.com

Corey W. Kobbervig (#0395472)

Kobbervig Law LLC

1624 Harmon Pl, Ste. 300G

Minneapolis, MN 55403

Telephone: (651) 357-0111

corey@kobberviglaw.com

Counsel for Plaintiff and the putative class

Certificate of Service

I HEREBY CERTIFY that on the 22nd Day of January 2024, a copy of the foregoing was filed electronically. The parties were served through the Court's electronic filing system.

/s/ Andrew Kimble

Andrew P. Kimble (*Pro Hac Vice*)